

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY MEXICO PRIORITY

UNCLAS STATE 064672

E.O. 11652: N/A

TAGS: CASC, MX

SUBJECT: PROPOSED PRESS RELEASE RE AMERICAN PRISONERS

REF: MONTERREY 189

1. EMBASSY'S COMMENTS REQUESTED ON FOLLOWING PROPOSED PRESS RELEASE DESIGNED TO CORRECT MISLEADING IMPRESSIONS CONVEYED IN ALLEGED STARK LETTER. PLEASE INCLUDE CONFIRMATION THAT MEXICAN AUTHORITIES CONCUR IN OUR UNDERSTANDING OF US-MEXICAN AGREEMENTS.

2. BEGIN TEXT: THE DEPARTMENT OF STATE IS CONCERNED THAT CERTAIN LETTERS AND PAPERS REPORTEDLY BEING CIRCULATED TO UNITED STATES CITIZENS IMPRISONED IN MEXICO AND TO THEIR FAMILIES AND FRIENDS IN THE UNITED STATES, CONTAIN MISLEADING AND INACCURATE IMPRESSIONS. THESE LETTERS AND PAPERS ADVISE THAT: "VARIOUS TREATIES MADE BY THE UNITED STATES AND MEXICO PROVIDE THAT AMERICANS ARRESTED FOR CRIMES COMMITTED IN MEXICO MAY BE BROUGHT TO THE U.S. FOR TRIAL AND, IF THEY ARE FOUND GUILTY, FOR FULFILLMENT OF PRISON TERMS."

3. OVER THE PAST SEVERAL YEARS, THE DEPARTMENT OF STATE HAS CONDUCTED AN INTENSIVE ADVERTISING CAMPAIGN DIRECTED

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TOWARD UNITED STATES CITIZENS TRAVELING ABROAD CAUTIONING

THEM THAT ANY CITIZEN ENTERING A FOREIGN COUNTRY BECOMES
SUBJECT TO THAT COUNTRY'S LAWS. THUS, IF AN AMERICAN

COMMITS A CRIME IN MEXICO, HE OR SHE IS SUBJECT TO ARREST
BY MEXICAN AUTHORITIES, TO TRIAL BEFORE A MEXICAN COURT,
AND, IF CONVICTED, TO IMPRISONMENT IN A MEXICAN PRISON.
IN CASE THE CRIME INVOLVED TRAFFICKING OF ILLEGAL DRUGS
TO THE U.S., INCLUDING A CONSPIRACY TO ENGAGE IN SUCH
TRAFFICKING, AN AMERICAN MAY ALSO BE SUBJECT TO ADDITIONAL
PROSECUTION IN THE UNITED STATES UNDER UNITED STATES LAWS.
HOWEVER, WHEN ARRESTED IN MEXICO, THAT GOVERNMENT HAS THE
RIGHT TO EXERCISE PRECEDENCE IN PROSECUTION. AFTER
MEXICAN JUDICIAL PROCESS IS COMPLETED, INCLUDING ANY
IMPRISONMENT, THE UNITED STATES GOVERNMENT HAS THE OPTION
OF INITIATING APPROPRIATE PROSECUTION AND IT COULD SEEK
THE EXTRADITION OF ANY SUCH INDIVIDUAL AT THE CONCLUSION
OF THE PERSON'S PENAL SENTENCE ABROAD.

4. MISLEADING AND INACCURATE IMPRESSIONS OF THE SORT
CONVEYED IN THE LETTERS MENTIONED ABOVE ARE MOST UN-
FORTUNATE AS THEY TEND TO BUILD UP A TRAGIC HOPE OF FALSE
EXPECTATION AMONG THOSE WHO ARE ALREADY UNDER GREAT
EMOTIONAL STRAIN. END TEXT. INGERSOLL

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